

SAN DIEGO COMMERCE

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SAN DIEGO) ss

Notice Type: GOV - GOVERNMENT LEGAL NOTICE

Ad Description: Adoption of New Rules 61.3.1-Transfer of Gasoline into Stationary Underground Storage Tanks and 61.4.1-Transfer of Gasoline from Stationary underground Storage Tanks into Vehicle Fuel Tanks

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN DIEGO COMMERCE, a newspaper published in the English language in the city of SAN DIEGO, county of SAN DIEGO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN DIEGO, State of California, under date 12/13/1991, Case No. 631749. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

01/27/2006

Executed on: 03/09/2006
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

SD #: 920074

NOTICE OF PUBLIC HEARING
NOTICE, pursuant to State of California Health and Safety Code Section 40725, is hereby given of a public hearing on March 1, 2006, at 9:00 a.m., before the Air Pollution Control Board of the County of San Diego, in Room 310, County Administration Center, 1600 Pacific Highway, San Diego, California, for the purpose of receiving public comments on and considering proposed new Rule 61.3.1 (Transfer of Gasoline into Stationary Underground Storage Tanks) and proposed new Rule 61.4.1 (Transfer of Gasoline from Stationary Underground Storage Tanks into Vehicle Fuel Tanks).

Volatile Organic Compound (VOC) emissions from storage, transfer, and dispensing of gasoline are currently regulated by District Rules 61.3 and Rule 61.4, and the statewide vapor recovery program mandated by the Health and Safety Code. In 2001, the State Air Resources Board (ARB) promulgated Enhanced Vapor Recovery (EVR) regulations to improve the effectiveness of the program. EVR regulations became effective in December 2003 with final implementation dates in 2009 and 2010. Consequently, existing Rules 61.3 and 61.4 have become outdated for facilities affected by the State EVR program.

Proposed new Rules 61.3.1 and 61.4.1 implement the State EVR program and fulfill the District's obligations under State law and the San Diego County Regional Air Quality Strategy. Rule 61.3.1 controls VOC emissions during gasoline transfer into underground storage tanks (Phase I vapor recovery). Rule 61.4.1 controls VOC emissions during gasoline dispensing into vehicle fuel tanks (Phase II vapor recovery). Most facilities have already upgraded to EVR Phase I vapor controls, but will need to upgrade their Phase II vapor controls by 2009. The new rules codify an inspection and maintenance program to ensure proper operation of emission control equipment. Both rules also require contractors/installers to complete training programs and to be responsible for compliance with specific rule requirements. New Rules 61.3.1 and 61.4.1 will affect 889 gasoline dispensing facilities in the County and will result in 447 tons/year of additional VOC emission reductions.

Under State regulations, all gasoline dispensing facilities in the County with current Phase II vapor controls must upgrade to Phase II EVR control equipment by 2009. While this requirement is reflected in proposed new Rule 61.4.1, the District and ARB have agreed to jointly reassess the cost-effectiveness of EVR Phase II upgrades for low-volume facilities. The District will report to the Air Pollution Control Board by early 2008 on the results of this study and may recommend changes to the Phase II EVR upgrade requirements at that time.

Rules 61.3.1 and 61.4.1 are not proposed for inclusion in the federal State Implementation Plan for San Diego County because they implement State

emission standards that go beyond federal requirements.

The Board may consider modifications to the proposal which may be deemed appropriate. Written comments concerning the proposal are also invited. Please submit written comments at least one week before the hearing date, addressed to:

Michael R. Lake, Assistant Director
San Diego County Air Pollution Control District
10124 Old Grove Road, San Diego, CA 92131

Copies of the proposed new rules may be examined or obtained at the Air Pollution Control District Headquarters, 10124 Old Grove Road, San Diego, California, or by visiting the District's Web Site at <http://www.sdapcd.co.san-diego.ca.us> under Permits & Forms, Applications, Permit Action Notices. Copies of the proposed amendments may also be examined at the office of the Clerk of the Board of Supervisors, Room 402, County Administration Center, 1600 Pacific Highway, San Diego, California. Specific information with respect to this matter may also be obtained by calling Michael Lake at (858) 586-2704.

THOMAS J. PASTUSZKA
Clerk of the Air Pollution Control Board
of the
San Diego County Air Pollution Control District

1/27/06

SD-920074#